



January 18, 2011

Richard Jarzynka
109 Crestwood Drive
Pittsburgh, PA 15209

Dear Mr. Jarzynka:

The investigation into the concerns you expressed about the care you received as a patient in UPMC Presbyterian Shadyside - Western Psychiatric Institute and Clinic (WPIC) campus has been completed.

An unannounced investigation was conducted on December 13, 2010. The investigation included review of facility documents, review of medical records, staff interviews, and tours with observations.

The investigation revealed that you presented to the Diagnostic Evaluation Center (DEC), on September 28, 2010, and subsequently asked to leave, after waiting for approximately four hours to see a physician. The investigation revealed that after your request to leave, you were physically restrained and secluded, and were denied the right to refuse treatment. The investigation revealed that the facility did not comply with federal regulations related to a patient's right to refuse treatment and the physical restraint/seclusion of patients.

As a result of the investigation, the hospital has been cited with violations of applicable State Licensure and Federal Medicare Regulations. The hospital has submitted an acceptable plan of corrective action to correct the violations.

The report, which will maintain patient confidentiality, will be made available to the public via the Internet within 5 to 6 weeks following the close of the investigation. You may access the report via the Department of Health's website at: <http://www.health.state.pa.us> and click on "Facilities, Providers, & Managed Care Plans" (on lower left hand side of page). Then click on the facility type (Hospitals or Outpatient Facilities) link on right hand side of page. Then "Health Care Facility Locator (except Nursing Homes)" and click on the county location of the facility.

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Thank you for bringing your concerns to our attention and giving us the opportunity to look into them on your behalf

Sincerely,



Brian Bachowski, R.N.
Health Facility Quality Examiner

CEN10C325P

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**IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN
DISTRICT OF PENNSYLVANIA**

CIVIL ACTION NO 10-1594
Judge Joy Flowers Conti

RICHARD JARZYNKA
Plaintiff

v

UPMC HEALTH SYSTEM
Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the attached Amended Complaint was served via U.S Mail to Mr. Justin Gottwald, attorney for the Defendant, on February 10, 2011, at Two PPG Place, Suite 400, Pittsburgh, PA 15222-5402



Richard Jarzynka, Pro Se Plaintiff
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Pittsburgh, PA 15209
412-486-8833